



1645
Baw

PATENT
New Attorney Docket No. 54442-20002.10
Old Attorney Docket No. 38599.0015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: James D. Thacker) Group Art Unit: 1645
Appl. No.: 10/020,923)
Filing Date: December 19, 2001)
Title: METHODS FOR THE RAPID DETECTION OF ACTIVELY RESPIRING
MICROORGANISM) Examiner: Khatol S. Shahnan Shah

MAIL STOP: AMENDMENT

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

a.) Introductory Comments:

RESPONSE TO COMMUNICATION

Applicant received a Communication from the U.S. Patent and Trademark Office, mail dated November 16, 2004, indicating that Applicant's Amendment filed and dated August 23, 2004, was non-compliant. Specifically, applicant is directed to use only the seven approved status identifiers when referring to the claims. Applicant is requested to provide any necessary revisions within one month of the mail date of the Communication provided the original Amendment was a *bona fide* attempt to reply to the non-final Office Action.

Applicant has revised the status identifiers as requested in the communication and represents the Amendment. Applicant also submits that the original Amendment was a *bona fide* attempt to timely reply to the Office Action as is believed clear from the fact that the Amendment was otherwise complete in every aspect. Thus, this Amendment is being filed within one month of the mail date of the Communication, and no additional fees or extensions of time are believed to be required.

Accordingly, in response to the non-final Office Action, mail dated May 5, 2004, applicant respectfully requests entry of the following amendments to the claims and reconsideration of the rejections of record in view of these amendments and applicant's remarks below.